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LETTER DATED 2 MARCH 1994 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Concerning the recent action in the airspace of the Republic of Bosnia and Herzegovina undertaken by a member State acting through the North Atlantic Treaty Organization, aimed at the implementation of the Security Council's resolution 816 (1993), I would like to draw the attention of the members of the Security Council to the events that preceded the action and have immediately followed it, that raise serious concerns to the Republic of Croatia.

My Government has reason to believe that the downed aircrafts have been relinquished to the insurgent Serbian authorities in Bosnia and Herzegovina and Croatia by the former Yugoslav Peoples Army (JNA). The aircrafts have been observed undertaking intensive training in the airspace of the Republic of Croatia in the past weeks, with the aim to prepare them for the attack on the Bosnian Government held facility in Novi Travnik. The six combat aircrafts took off from the military facility in Udbina - Republic of Croatia - located in the present UNPA [stands for "United Nations Protected Area"] Sector South, and temporarily under control of Serbian insurgents. After their bombing run over the Novi Travnik, they aimed to return to the base, when they were intercepted by NATO combat aircrafts in their implementation of the relevant Security Council resolutions, that resulted in destruction of four of Serbian planes. The two remaining planes have, according to our information, safely returned to Udbina. This was via facti confirmed in the statement by Adm. Jeremy Boorda who stated that "at 0559 GMT the remaining two Serb planes exit the air space over Bosnia and Herzegovina", which was quoted as the reason for not pursuing them.

My Government believes that the entire action undertaken by Serbian insurgents was aimed at derailing the ongoing negotiations between the Croatian and Muslim side on reaching an overall solution to the conflict in Bosnia and Herzegovina, by staging an attack that would appear to be conducted by Croatian Air Force. The situation is further aggravated in our view by Serbian insurgents using the airfield in the territory of the Republic of Croatia, and ultimately finding a refuge in the Croatian airspace. Republic of Croatia considers this as an act of aggression against its sovereignty and territorial integrity.

An additional related element that in the view of my Government shows determination of the Serbian insurgents to secede from the Republic of Croatia and unite with "Federal Republic of Yugoslavia (Serbia and Montenegro)" - as pointed out on numerous occasions, most recently in my letter addressed to your predecessor on 24 February [S/1994/215] - is that the Belgrade authorities have listed Udbina as an airport in "Yugoslavia" to the relevant international aeronautical authorities, as listed in the "Jeppesen Manual".

The Republic of Croatia believes that an immediate action by the Security Council is required, aimed at not only implementing the resolution 769 (1992) on the ground, but as well as ensuring the inviolability of its airspace. We request the Security Council to instruct UNPROFOR to place the military observers on the airfield in Udbina, so that similar incidents can be prevented in the future. Croatia also requests the airfield in Udbina to be closed for all operations until such time that the area in question will be reintegrated into its legal system and subject to its authority, in accordance with the relevant resolutions of the Security Council.

I kindly request for your assistance in distributing this letter as a document of the Security Council.

(Signed) Mario Nobilo
Ambassador
Permanent Representative